

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

KEVIN WARD,

Plaintiff,

v.

**SOVA FOOD, INC. D/B/A
TAKE AWAY CATERING,**

Defendant.

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Case No. 3:16-CV-2825

Judge Aleta A. Trauger

**DEFENDANT’S UNOPPOSED MOTION TO
FILE SETTLEMENT AGREEMENT UNDER SEAL**

Defendant Sova Food, Inc. d/b/a Take Away Catering (“Defendant”) moves the Court to allow the parties’ Settlement Agreement and General Release (“Settlement Agreement”) to be filed under seal. Defendant has conferred with counsel for Plaintiff regarding this Motion, and Plaintiff does not oppose this Motion. In support thereof, Defendant states as follows:

1. The parties have reached a confidential settlement, conditioned upon this Court’s approval and entry of a final Order approving their agreement. The parties contemporaneously have filed a Joint Motion for Approval of Compromise and Settlement.

2. Confidentiality is a negotiated and key term of the Settlement Agreement. As part of their settlement, the parties agreed not to disclose the terms of the Settlement Agreement to anyone other than to their counsel, spouse, and tax or financial advisors. In order to effectuate the terms of the Settlement Agreement, Defendant moves to file the Settlement Agreement under seal.

3. Although the Sixth Circuit recognizes a “strong presumption in favor of openness” as to court records, *Shane Grp., Inc. v. Blue Cross Blue Shield*, 825 F.3d 299, 305 (6th Cir. 2016), the Middle District has, at times, granted similar motions to file a settlement agreement under seal for court approval in other FLSA cases. *See, e.g., Flatt v. LHC Group, Inc. et al.*, Case No. 2:16-cv-00014, Doc. Entry 62 (M.D. Tenn. February 9, 2017) (attached).

WHEREFORE, Defendant moves the Court to permit filing of the parties’ Settlement Agreement under seal, for its *in camera* review in connection with the parties’ Joint Motion for Approval of Compromise and Settlement.

s/ Aron Z. Karabel
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*Attorneys for Defendant Sova Food, Inc.
d/b/a Take Away Catering*

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing has been served via the Court’s ECF system upon:

Michael L. Russell, Esq.
Emily S. Emmons, Esq.
Gilbert Russell McWherter PLC
341 Cool Springs Boulevard, Suite 230
Franklin, TN 37067

on this 22nd day of February 2017.

s/ Aron Z. Karabel